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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,493	01/20/2006	Renan Abgrall	0579-1089	6961
466 7590 11/16/2009 YOUNG & THOMPSON 209 Madison Street Suite 500 Alexandria, VA 22314			EXAMINER KOYAMA, KUMIKO C	
			ART UNIT 2887	PAPER NUMBER
			NOTIFICATION DATE 11/16/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

Office Action Summary

Application No.

10/536,493

Applicant(s)

ABGRALL ET AL.

Examiner

KUMIKO C. KOYAMA

Art Unit

2887

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Amendment received on July 31, 2009 has been acknowledged.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-10 and 18 are rejected under 35 U.S.C. 102(a) as being anticipated by Morgan et al (US 6,373,201).

Morgan discloses a timer controller that periodically calculates the time the lamp has been on since the last update (col 5, lines 33-35). Such timer controller is a measuring means for measuring the time that has elapsed from a reference time of day associated with the object. Morgan discloses that the EEPROM is used to store copies of the rated safe life of the lamp, and copies of the elapsed operational time for the lamp (col 4, lines 23-26). After the rated safe life and elapsed operation time of the lamp are determined, the elapsed time and rated safe life are compared (col 4, lines 65-67). The EEPROM is the storage means for storing the lifespan assigned to the object, the storage means co-operating with the time measuring means to compare the elapsed time and the lifespan. Morgan discloses that the elapsed time is compared to the rate safe life of the lamp. If the rate safe life of the lamp exceeds the elapsed time stored in EEPROM, the timer will wait until the time since the last update once again exceeds the

threshold incremental value before repeating the steps. If the elapsed time does exceed the rated safe life of the lamp, the timer controller disables the lamp (col 5, lines 43-50).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan in view of Paratore et al (US 6,294,997). The teachings of Morgan have been discussed above.

Elizalde fails to teach a capacitive component subject to leakage across its dielectric space, means being provided for coupling said capacitive component to an electrical power supply to be charged by said electrical power supply, and means for measuring the residual charge in the capacitive component, said residual charge being at least in part representative of the time that has elapsed since the capacitive component was decoupled from the electrical power supply.

Paratore discloses that the timing module includes a capacitor, a resistor, an A/D converter, a control circuit and an N-bit register. The timing module is illustrated in communication with memory module 60 of the RFID tag. Once powered by the RFID interrogator, the control circuit causes the capacitor to become charged. If the initial charge voltage across the capacitor is V_o , then the residual voltage V_r will be as follows: $V_r = V_o e^{-t/RC}$ where t is time (seconds), R is the resistance value of resistor (R_3)(ohms), and C is the

capacitance value of capacitor (C_3) (farads). Conversely, if the value of the residual voltage V_r is known, then the time t elapsed from the initial charge of capacitor is equal to: $t = (RC)(\log(V_o / V_r))$. (col 4, line 54-col 5, line 5).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Paratore to the teachings of Morgan in order to provide a timing circuit that is capable of accurately measuring time in a small package, such as a card. Such modification is useful since many cards, especially credit cards, have an expiration date, and therefore, in order increase the security of the card, it would be necessary to have an expiration time (or life span). Such use of capacitive components enables to the card to be portable while accurately measuring time.

5. Claims 13, 16, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan in view of Paratore as applied to claims 11 and 12 above, and further in view of Hennig (US 5,514,995). The teachings of Morgan as modified by Paratore have been discussed above.

Morgan as modified by Paratore fails to teach a MOS capacitor.

Hennig discloses a PCMCIA card having a first discharge circuit that includes a MOS capacitor (abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Hennig to the teachings of Morgan as modified by Paratore in order to reduce the size of the card package by utilizing a reduced size MOS capacitor.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan in view of Hennig (US 5,514,995). The teachings of Morgan have been discussed above.

Morgan fails to teach a PCMCIA card.

Hennig discloses a PCMCIA card having a first discharge circuit that includes a MOS capacitor (abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Hennig to the teachings of Morgan as modified by Paratore in order to reduce the size of the card package by utilizing a reduced size MOS capacitor.

Response to Arguments

7. Applicant's arguments, see page 2 of remarks, filed July 31, 2009, with respect to the rejection(s) of claim(s) 1-13 and 16-20 under Elizalde have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Morgan.

Allowable Subject Matter

8. Claims 14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

Prior art of record, Elizalde, Paratore and Hennig, taken alone or in combination fail to teach a field-effect transistor having an insulative layer, a capacitive component including an

insulative layer, and the thickness of the insulative layer of the field-effect transistor is significantly greater than the thickness of the insulative layer of the capacitive component.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUMIKO C. KOYAMA whose telephone number is (571)272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Paik can be reached on 571-272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kumiko C. Koyama/
Primary Examiner, Art Unit 2887
November 09, 2009